

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re Application of: Matthias KRULL

Docket: 2000DE441

Serial No.: 09/993,590

Group Art Unit: 1714

Filed: November 16, 2001

Examiner: Medley, M.

For: FUEL OILS HAVING IMPROVED LUBRICITY COMPRISING MIXTURES OF
FATTY ACIDS WITH PARAFFIN DISPERSANTS, AND A LUBRICATION-
IMPROVING ADDITIVE

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A CO-PENDING APPLICATION**

Commissioner for Patents
and Trademarks
Washington, DC 20231

Dear Sir:

The owner, Clariant GmbH of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of co-pending application No. 09/993,847 filed on 16 November 2001. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent application, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a) and 1.10

I hereby certify that this correspondence is, on the date shown below, being transmitted by facsimile to the U.S. Patent and Trademark Office. (Fax No. (703) 872-9310 [Group 1714] (2 pages))

Vicki L. Sgro: 

Date: December 13, 2002

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GROUP 1700

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a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The Commissioner is hereby authorized to charge the fee due under 37 CFR 1.20(d) in the amount of \$110.00 to Deposit Account No. 03-2060. The Commissioner is also authorized to charge any fee deficiency asserted to be paid, or which should have been paid herewith, or with any paper hereafter filed in this application and credit any fee overpayment to Deposit Account No. 03-2060. A duplicate copy of this petition is attached.

The undersigned is an agent of record.

Respectfully submitted,


Richard P. Silverman, Registration No. 36,277

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